

(F) as authorized by commissioner rule, insurance covering other perils or providing other coverages or other lines of first party property insurance.

(1-a) "Form" means an insurance policy form or a printed endorsement form.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.

Passed by the House on May 6, 2017: Yeas 143, Nays 0, 2 present, not voting; passed by the Senate on May 23, 2017: Yeas 31, Nays 0.

Approved May 29, 2017.

Effective May 29, 2017.

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**DESIGNATION OF A PORTION OF STATE HIGHWAY 71 IN  
WHARTON COUNTY AS THE ROY P. BENAVIDEZ MEMORIAL  
HIGHWAY**

**CHAPTER 255**

H.B. No. 1303

**AN ACT**

**relating to the designation of a portion of State Highway 71 in Wharton County as the Roy P. Benavidez Memorial Highway.**

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. Subchapter B, Chapter 225, Transportation Code, is amended by adding Section 225.123 to read as follows:

*Sec. 225.123. ROY P. BENAVIDEZ MEMORIAL HIGHWAY. (a) The portion of State Highway 71 in Wharton County between its intersection with the Colorado County line and Farm-to-Market Road 2765 is designated as the Roy P. Benavidez Memorial Highway.*

*(b) Subject to Section 225.021(c), the department shall:*

*(1) design and construct markers indicating the designation as the Roy P. Benavidez Memorial Highway and any other appropriate information; and*

*(2) erect a marker at each end of the highway and at appropriate intermediate sites along the highway.*

SECTION 2. This Act takes effect September 1, 2017.

Passed by the House on May 4, 2017: Yeas 143, Nays 0, 2 present, not voting; passed by the Senate on May 19, 2017: Yeas 31, Nays 0.

Approved May 29, 2017.

Effective September 1, 2017.

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**PROHIBITING LOCAL GOVERNMENTS FROM IMPOSING  
CERTAIN FEES ON NEW CONSTRUCTION**

**CHAPTER 256**

H.B. No. 1449

**AN ACT**

**relating to prohibiting local governments from imposing certain fees on new construction.**

*Be it enacted by the Legislature of the State of Texas:*

SECTION 1. The legislature finds that:

(1) fees and exactions imposed by political subdivisions to fund subsidized housing materially increase the cost of housing construction and other forms of construction in the state; and

(2) it is in the state's interest to incentivize housing affordability for Texas residents by circumscribing regulatory burdens imposed on the housing industry by political subdivisions.

SECTION 2. Chapter 250, Local Government Code, is amended by adding Section 250.008 to read as follows:

*Sec. 250.008. LINKAGE FEES PROHIBITED. (a) A political subdivision may not adopt or enforce a charter provision, ordinance, order, or other regulation that imposes, directly or indirectly, a fee on new construction for the purposes of offsetting the cost or rent of any unit of residential housing.*

*(b) For purposes of this section:*

*(1) a fee is imposed indirectly on new construction if a charter provision, ordinance, order, or other regulation allows acceptance by the political subdivision of a fee on new construction; and*

*(2) new construction includes zoning, subdivisions, site plans, and building permits associated with new construction.*

*(c) This section does not apply to:*

*(1) an affordable housing and property tax abatement program:*

*(A) adopted under Chapter 378 or Chapter 312, Tax Code, by a municipality with a population of more than 700,000; and*

*(B) for which eligibility is maintained as required under Chapter 312, Tax Code, as applicable; or*

*(2) an ordinance, order, or other similar measure that permits the voluntary payment of a fee in lieu of other consideration to a political subdivision in connection with the issuance of a zoning waiver related to new construction that allows a multifamily residential or commercial structure to exceed height or square footage limitations.*

*(d) A charter provision, ordinance, order, or other regulation adopted by a political subdivision that conflicts with this section is null and void.*

SECTION 3. The change in law made by this Act does not apply to an agreement relating to providing subsidized housing entered into before the effective date of this Act.

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.

Passed by the House on May 3, 2017: Yeas 102, Nays 38, 2 present, not voting; the House concurred in Senate amendments to H.B. No. 1449 on May 20, 2017: Yeas 107, Nays 27, 2 present, not voting; passed by the Senate, with amendments, on May 18, 2017: Yeas 27, Nays 4.

Approved May 29, 2017.

Effective May 29, 2017.